

**MINUTES OF A SPECIAL MEETING OF THE PLANNING BOARD OF THE  
VILLAGE OF IRVINGTON HELD IN THE RECREATION CENTER, ON  
TUESDAY, SEPTEMBER 21, 1999.**

**Members Present:** Patrick J. Gilmartin, Chairman  
William Hoffman  
Peter Lilienfield  
Allen Morris  
Patrick Ntarelli

**Also Present:** Brenda Livingston, Ad Hoc Planning Board Member  
Ralph Mastromonaco & Tim Miller, Consulting Engineers  
Florence Costello, Planning Board Clerk  
Mary Beth Dooley, E.C.B.  
J&L Reporting Service, for Westwood Development Associates  
Charles Pateman & Padraic Steinschneider, Westwood  
Donald Marra, Irvington Public Schools  
Members of the Public.

This Special Meeting was held to consider and decide in connection with the proposed subdivision and development of a site extending from the border of the Irvington High School property to Peter Bont Road generally known as the Westwood Development (1) whether to adjust the area of Resource Protection Land, Net Buildable Site Area and/or Site Capacity of said property in accordance with Section 243-81 et.seq. of the Village Code (sometimes referred to as the "remedial legislation") to permit construction thereon of a greater number of dwelling units than would otherwise be permitted and (2) if the Final Environmental Impact Statement with respect to said proposed project is complete, and (3) to transact such other business as may properly come before the Board.

As preliminary matters, the Chairman noted that the Planning Board has been notified that the State Department of Transportation has now agreed to a traffic light at the intersection of Broadway and High School Drive. He also noted that he had received a copy of an Agreement which has been signed by the Applicant and the School Board, the essence of which is that the School District will not object to the use of High School Drive and the Applicant's easement for access to Tract A provided that the Applicant makes at its own expense the modifications to High School Drive and the school's parking lots that are shown on the plan entitled "F.E.I.S. Tract A Alternate Plan, Tract A Alternative Site Access Plan and Parking Plan over High School Property" prepared by Cronin Engineering P.E., P.C., dated April 27, 1999, last revised May 19, 1999, and that the Applicant satisfies certain other conditions.

Among these other conditions are that the Applicant construct at its sole cost and expense an emergency access road connecting Link Road to the road through the High School

Property and also pay to the School District the sum of \$125,000 upon final approval by the Planning Board of Westwood's site development plan.

With respect to the Agreement between the Applicant and the School Board the Chairman noted that the plan referred to in the Agreement had been revised after May 19, 1999, the current plan bearing a revision date of August 20, 1999. He asked if the latest revision changed either the road or parking layout shown in the May 19 revision and Mr. Charles Pateman, who appeared for the Applicant, informed the Board that there was no such change. He said the revision made was only to include in Tract A a strip of land connecting it to Tract B.

The Chairman suggested as the procedure for taking up questions related to applying the remedial legislation to the Application that the Board consider and vote on proposed Findings under the Remedial Legislation as per a draft the Chairman had prepared, a copy of which is annexed to these minutes, which the Chairman noted was not complete but could serve as a starting point for the Board's deliberations. The Board and the Applicant agreed with the suggestion.

The Chairman read the Draft, answered questions and the Board voted on each finding. Findings one through eight passed. Finding nine passed, however an issue arose with regard to creating a sewer easement to serve the Ciccio/Chernick (formerly Dr. Hu) property. Finding ten passed with the understanding that the wetland deduction would remain unchanged and the Board would adjust the slope deduction only. Findings 11, 12, and 13 were tabled until the next regular Planning Board meeting.

A full stenographic record of the meeting was prepared and is incorporated herein by reference.

There being no further business, the meeting was adjourned.

Respectfully submitted,

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Allen Morris, Secretary